

Last revised August 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Case No.: _____

Candice Brooks
Mark Brooks,

Judge: _____

Debtors

Chapter 13 Plan and Motions

☒ Original

☐ Modified/Notice Required

Date: 01/10/2018

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: ___SJD___

Initial Debtor: __CB___

Initial Co-Debtor: __MB___

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 1450 per month to the Chapter 13 Trustee, starting on February 1, 2018 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 1950 plus additional and/or supplemental fees as applied for and granted pursuant to DNJ LBR 2016-5 and 11 U.S.C. §327
DOMESTIC SUPPORT OBLIGATION	DSO	None
Internal Revenue Service	Income Tax Arrears	\$15929.81
State of NJ – Division of Taxation	Income Tax Arrears	\$1973.82

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
☐ None
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Nationstar Mortgage, LLC	First Mortgage	\$51,500.00	0.00	51,500.00	\$1853.00 as periodically adjusted for tax and insurance escrow

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Jersey Central FCU
Thrift Investment Corp.

g. Secured Claims to be Paid in Full Through the Plan: <input checked="" type="checkbox"/> NONE			
Creditor	Collateral	Total Amount to be Paid Through the Plan	
Part 5: Unsecured Claims <input type="checkbox"/> NONE			
<p>a. Not separately classified allowed non-priority unsecured claims shall be paid:</p> <p><input type="checkbox"/> Not less than \$ _____ to be distributed <i>pro rata</i></p> <p><input type="checkbox"/> Not less than _____ percent</p> <p><input checked="" type="checkbox"/> <i>Pro Rata</i> distribution from any remaining funds</p> <p>b. Separately classified unsecured claims shall be treated as follows:</p>			
Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
St. Mary's High School	Debtor's daughter attends and needs to graduate.	Payment at 100%	\$5800.00
Part 6: Executory Contracts and Unexpired Leases <input checked="" type="checkbox"/> NONE			
<p>(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)</p> <p>All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:</p>			
Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☐ Upon confirmation
☒ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other administrative claims, including attorneys fees
- 3) Secured Claims and arrears
- 4) Priority Claims
- 5) General unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: _____.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☐ No
☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 01/10/2018

/s/Scott J. Goldstein
Scott J. Goldstein
Attorney for the Debtor

Date: 01/10/2018

/s/Candice Brooks
Candice Brooks
Debtor

Date: 01/10/2018

/s/Mark Brooks
Mark Brooks
Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any must sign this Plan.

Date: 01/10/2018

/s/Scott J. Goldstein
Scott J. Goldstein
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 01/10/2018

/s/Candice Brooks
Candice Brooks
Debtor

Date: 01/10/2018

/s/Mark Brooks
Mark Brooks
Joint Debtor

Certificate of Notice Page 11 of 12
 United States Bankruptcy Court
 District of New Jersey

In re:
 Candice Brooks
 Mark Brooks
 Debtors

Case No. 18-10786-SLM
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 34

Date Rcvd: Jan 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 18, 2018.

db/jdb
 517277873 #+Candice Brooks, Mark Brooks, 218 Lafayette St., Roselle, NJ 07203-1724
 517277875 #+Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
 517277874 +Capital One, Bankruptcy Department, 1680 Capital One Drive, Mc Lean, VA 22102-3407
 517277874 +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
 Salt Lake City, UT 84130-0285
 517277876 +Chase, Attn: Bankruptcy Dept, Po Box 15298, Wilmington, DE 19850-5298
 517277877 +Chase Card Services, Attn: Correspondence, Po Box 15278, Wilmington, DE 19850-5278
 517277878 Comenity Bank, Attn: Bankruptcy, P.O. Box 182125, Columbus, OH 43218-2125
 517277881 +Ctech Coll, 5505 Nesconset Hwy, Mount Sinai, NY 11766-2037
 517277884 +Geico, One Geico Plaza, Bethesda, MD 20811-0002
 517277885 +Gentle Dental, 221 Chestnut Street, Roselle, NJ 07203-1280
 517277887 +Jersey Central Fcu, Po Box 661, Cranford, NJ 07016-0661
 517277888 +KML Law Group, PC, 216 Haddon Ave, Ste 406, Westmont, NJ 08108-2812
 517277892 +Nationstar Mortgage LLC, Attn: Bankruptcy, 8950 Cypress Waters Blvd,
 Coppell, TX 75019-4620
 517278697 +Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 517277893 +St. Mary's High School, 64 Chestnut Street, Rutherford, NJ 07070-1783
 517277895 +State of NJ, Division of Taxation, PO Box 046, Trenton, NJ 08601-0046
 517277894 State of NJ, Surcharge Violation System, PO Box 4850, Trenton, NJ 08650-4850
 517277896 ++T MOBILE, C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901
 (address filed with court: T Mobile, PO BOX 742596, Cincinnati, OH 45274)
 517277897 +TekCollect Inc, Po Box 1269, Columbus, OH 43216-1269
 517277898 +Thrift Investment Corp, 720 King George Post Rd, Fords, NJ 08863-1985
 517277899 +Trident Asset Management, Attn: Bankruptcy, Po Box 888424, Atlanta, GA 30356-0424
 517277900 +Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500,
 Weldon Springs, MO 63304-2225
 517277901 +Verizon Wireless - Bankruptcy, 500 Technology Drive, Suite 550,
 Saint Charles, MO 63304-2225

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jan 17 2018 00:01:21 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jan 17 2018 00:01:18 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517277872 +E-mail/Text: bankruptcy@sccompanies.com Jan 17 2018 00:02:33 Ashro, 1112 7th Ave,
 Monroe, WI 53566-1364
 517277879 +E-mail/PDF: creditonebknofications@resurgent.com Jan 17 2018 00:05:52 Credit One Bank,
 Attn: Bankruptcy Dept, 585 Pilot Rd, Las Vegas, NV 89119-3619
 517277880 +E-mail/PDF: creditonebknofications@resurgent.com Jan 17 2018 00:05:41 Credit One Bank Na,
 Po Box 98873, Las Vegas, NV 89193-8873
 517277882 +E-mail/PDF: pa_dc_ed@navient.com Jan 17 2018 00:05:50 Dept Of Ed/Navient,
 Attn: Claims Dept, P.O. Box 9635, Wilkes Barr, PA 18773-9635
 517277883 +E-mail/Text: bankruptcynotices@dcicollect.com Jan 17 2018 00:01:58
 Diversified Consultants, Inc., Diversified Consultants, Inc., Po Box 551268,
 Jacksonville, FL 32255-1268
 517277886 +E-mail/Text: cio.bncmail@irs.gov Jan 17 2018 00:00:53 IRS, Centralized Insolvency,
 PO Box 7346, Philadelphia, PA 19101-7346
 517277889 +E-mail/Text: bnckohlsnotices@becket-lee.com Jan 17 2018 00:00:42 Kohls/Capital One,
 Kohls Credit, Po Box 3043, Milwaukee, WI 53201-3043
 517277890 +E-mail/PDF: resurgentbknofications@resurgent.com Jan 17 2018 00:06:05
 LVNV Funding/Resurgent Capital, Po Box 10497, Greenville, SC 29603-0497
 517277891 +E-mail/Text: bankruptcydpt@mcmeq.com Jan 17 2018 00:01:17 Midland Funding,
 Attn: Bankruptcy, Po Box 939069, San Diego, CA 92193-9069

TOTAL: 11

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
 While the notice was still deliverable, the notice recipient was advised to update its address with the court
 immediately.

District/off: 0312-2

User: admin
Form ID: pdf901

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Total Noticed: 34

Date Rcvd: Jan 16, 2018

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 18, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 14, 2018 at the address(es) listed below:

Scott J. Goldstein on behalf of Joint Debtor Mark Brooks sjg@sgoldsteinlaw.com,
cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;G31979@notify.cincompass.com
Scott J. Goldstein on behalf of Debtor Candice Brooks sjg@sgoldsteinlaw.com,
cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;G31979@notify.cincompass.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 3